

**CITY OF ROCKVILLE PLANNING DIVISION
STAFF REPORT AND RECOMMENDATION**

August 4, 2006

FINAL RECORD PLAT: Lots 1 through 6 and Parcel A, Falls Grove Estates

APPLICATION NUMBERS: PLT2006-00464

APPLICANT: James Glascock
Macris, Hendricks & Glascock, P.A.
9220 Wightman Road
Suite 120
Montgomery Village, Maryland 20886

DATE FILED: July 19, 2006

DESCRIPTION OF PROPERTY:

Size: 209,315 Square Feet or 4.80521 Acres
Location: 9104, 9110 and 9150 Darnestown Road,
near the Jersey Lane intersection.
Zone: R-S, Suburban Residential
Present Use: Three vacant residential dwellings

PREVIOUS RELATED ACTION: Preliminary Subdivision Plan PLT2004-00439 was approved by the Planning Commission at its meeting on September 28, 2005 (see Attachment 1).

STAFF COMMENTS: The Proposed Final Record Plat is in accordance with the previously approved Preliminary Subdivision Plan. It contains six lots that are situated off of a service drive. The Parcel A, located between the service drive and Darnestown Road, will become a Homeowners Association parcel. The establishment of a Homeowners Association is necessary in order to maintain Parcel A, the facilities within the Private Storm Drain Easements and for the Landscape Buffer shown on the plat. The Landscape Buffer is being placed in order to provide for the retention of the trees and landscaping between the existing homes and the new development, whether existing or being planted in conjunction with the development of the lots. This application is not subject to the Adequate Public Facilities Ordinance requirement due to the prior Preliminary Subdivision Plan approval.

STAFF RECOMMENDATION: Approval, subject to the conditions noted below:

1. That the plat be revised to make modifications/additions as identified on Planning Commission Exhibit "A" (in the Planning Division file);

Staff Report: PLT2006-00464

Date: August 4, 2006

Page: 2

2. That all outstanding conditions of approval of the Preliminary Subdivision Plan be addressed prior to recordation of the plat;
3. That public improvement bonds be posted prior to recordation;
4. Submission, for review by the City Attorney's Office, of Homeowner Association Documents for recordation among the Land Records of Montgomery County, Maryland no later than the first Building Permit. Included within the documents, should be provisions for the maintenance of Parcel A, the maintenance of the private stormdrains and the trees and landscaping within the Landscaping Buffer, as shown on the plat. Provisions should include the participation of the neighboring property owner when tree or landscaping changes are proposed within the Landscaping Buffer;
5. Submission, for review by the City Attorney's Office, of a document that restricts by covenant disturbance of the dry wells that are proposed on the lots for stormwater management. If deemed appropriate this provision may be included within the Homeowner Association documents; and
6. That the final corrected Plat be submitted in an appropriate electronic format as specified in Section 25-782(c), (d) and (e) of the Rockville Zoning Ordinance.

ATTACHMENTS

1. Copy of the Plat
2. Approval Letter for Preliminary Subdivision Plan, PLT2004-00439